

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Ingvar M. FERBY et al.

Group Art Not Yet Assigned

Application No.: 09/889,592

Examiner: Not Yet Assigned

Filed: August 2, 2001

Attorney Dkt. No.: 100564-00064

For: PROTEIN WITH CELL PROLIFERATION AND CELL DIVISION MODULATING  
ACTIVITY AND DNA ENCODING SUCH PROTEIN

**RESPONSE TO NOTIFICATION OF MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231  
**ATTN - BOX MISSING PARTS**

October 31, 2001

Sir:

In response to the Notification of Missing Parts of Application dated September 14, 2001 (copy attached), the following are enclosed:

A computer readable form of the "Sequence Listing."

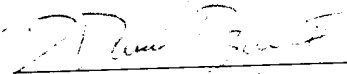
A statement that the contents of the paper and the computer readable form are the same and, include no new matter, as required by 37 CFR §1.821(e).

The Examiner is respectfully requested to acknowledge that all of the requirements of 35 U.S.C. §111 have been met.

Please charge any fee deficiency or credit any overpayment to Deposit Account

No. 01-2300.

Respectfully submitted,



D. Daniel Dzara, II  
Registration No. 47,543

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC  
1050 Connecticut Avenue, N.W.,  
Suite 600  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810

DDD/abs



## UNITED STATES PATENT AND TRADEMARK OFFICE

CPI

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

09/889592

FERBY

100564-00064

INTERNATIONAL APPLICATION NO.

PCT/EP00/00877

ROBERT B MURRAY  
ARENT FOX KINTNER PLOTKIN & KAHN  
1050 CONNECTICUT AVENUE N W  
SUITE 400  
WASHINGTON, DC 20036-6339

I.A. FILING DATE

PRIORITY DATE

03 FEB 00

03 FEB 99

DATE MAILED

14 SEP 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |                                                                                                                          |                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.                                                             | <input type="checkbox"/> Indication of Small Entity Status.                         |
| <input checked="" type="checkbox"/> Copy of the international application.                                               | <input type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors(s).                                                 | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.                                                                  | <input type="checkbox"/> Other:                                                     |
| <input checked="" type="checkbox"/> Priority Document.                                                                   |                                                                                     |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |                                                                                     |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |                                                                                     |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a request and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed

PCT/DO/EO/917

Notice of Defective Translation

PTO-875

☒ PCT/DO/EO/920

Charita A. Bick, Paralegal

Telephone 703-305-3734

FORM PCT/DO/EO 905 (March 2001)